

A regularly scheduled meeting of the Board of Trustees was held on Monday, May 16, 2022, in the Village Hall. Mayor Westcott opened the meeting at 7:00 p.m. Also present were Deputy Mayor Conley, Trustee Blumrick, Trustee McAvoy, Trustee Barr, Coordinator Bobbitt, Police Chief Swick, Clerk-Treasurer VanBuren, Assistant Fire Chief Sara Burgess, and Tom Seaman, attorney.

Trustee Blumrick led the Pledge of Allegiance.

There were several residents in attendance, as well.

The Board reviewed the Site Plan for 2 Watson Avenue from Watson Enterprises LLC. The owners, Andrew Pittman and Ruthanne Darling, were present to answer any questions the Board may have. Attorney Seaman requested that they revise their site plan application to include all possible uses at this address regardless if they ever come to fruition. This would avoid the owner’s from having to potentially go through this process down the road. The Mayor and the Board would like to see more detail in the architect’s drawings.

A motion was by Deputy Mayor Conley, and seconded by Trustee McAvoy, to table a vote on the site plan until the Middleport Fire Department, the Village’s Building Inspector Mike Klock, and the Planning Board has a chance to review the Site Plan. Carried, with all present voting aye.

Dr. Stopinski, the Superintendent of the RHCS D, discussed adding an SRO (School Resource Officer) this fall. He addressed the schools desire to enter into an agreement with the Village of Middleport to provide a police officer to act as the SRO for 185 days.

Chad Owen addressed the Board regarding an addition to his house at 6 Alfred Street. The Board reviewed his plans and agreed that he would need approval from the Zoning Board of Appeals. Attorney Seaman said we would schedule a ZBA meeting as soon as possible.

Mayor Westcott opened the Public Hearing at 7:41 pm regarding requiring Inspection and Removal of Stormwater Connections to the Village’s Wastewater Collection System Local Law.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to approve the minutes of the April 18, 2022, meeting. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to authorize Abstract 12-21/22 budget transfers in the General Fund as follows:

TO	FROM	AMOUNT
A3120.4	A3120.2	\$51.09
A7180.4	A7110.2	6.92
TOTAL		\$58.01
Carried, with all present voting aye		

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to approve payment of claims submitted on Abstract No. 12-21/22 in the amount of General: \$54,124.58; Water: \$800.91; and Sewer: \$25,785.22 for a Total of \$80,710.71. This figure includes Payroll No. 24 and 25. Carried with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to approve Payrolls No. 24 and 25 for periods ending April 23, 2022, and May 7, 2022. Carried, with all present voting aye.

The Treasurer’s report and the General Fund Cash Flow Forecast was submitted and accepted for April 2022.

The Public Works report was submitted and accepted for April 2022.

The Village and Town Police reports were submitted and accepted for April 2022 with Chief Swick reading the highlights.

The fire report was submitted and accepted for April 2022 with Assistant Fire Chief Burgess reading the monthly and year-to-date calls they have responded to.

There will be no refuse/recycle collection on Wednesday, June 1, 2022, due to the Memorial Day holiday. Regular pickup will be on Thursday, June 2, 2022.

Water and Sewer Billing for the quarter billed on May 1, 2022, is as follows:

Water:	\$ 53,922.00
Meter Rental Charge:	\$ 1,567.50
Sewer:	\$ 55,033.96
Sewer Debt Service Charge:	<u>\$ 8,137.50</u>
<b>TOTAL</b>	<b>\$118,730.96</b>

This cycle billing is for 8,781,000 gallons.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to authorize Niagara County Real Property Department to relevy all unpaid water/sewer bills as of April 30, 2022, to be added onto the 2022-2023 Village tax bills. The total amount is \$39,522.32. tax roll. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to approve 47 ½ hours of vacation carryover for Clerk VanBuren and 110 hours of vacation carryover for Coordinator Bobbitt. Carried, with all present voting aye.

Tax warrant to be signed by Mayor Westcott in the amount of \$711,545.20 (tax levy of \$672,022.88 plus unpaid water and sewer of \$39,522.32).

Mayor Westcott closed the public hearing at 7:51 pm.

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, determining that the Inspection and Removal of Stormwater Connections Local Law will not result in any significant impact pursuant to the State Environmental Quality Review Act (SEQRA), that a negative declaration should be issued requiring no further action for SEQRA purposes. Carried, with all present voting aye.

Deputy Mayor Conley offered the following resolution and moved its adoption:

**Local Law No. \_\_\_\_\_ of the Year 2022**  
**Village of Middleport, County of Niagara**

**A local law requiring the inspection and removal of stormwater connections to the Village's wastewater collection system, at the time of sale or transfer of property.**

Be it enacted by the Village Board of Trustees of the Village of Middleport as follows:

Section 150-20 of the Village of Middleport Code is hereby amended to include the following:

§ 150-20 C. The Village shall cause users' properties to be inspected, at the time of any sale or transfer of real property, and shall require permanent removal of any such private stormwater, surface water, groundwater, roof runoff or subsurface drainage connections to the Village of Middleport wastewater collection system.

This law shall be effective upon filing with the Office of the Secretary of State.

The adoption of the foregoing resolution was seconded by Trustee McAvoy, and duly put to a vote on roll call.

<b>AYES:</b>	Wayne B. Blumrick Dorothy J. Barr Thomas C. Conley Dennis J. McAvoy
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<b>NOES:</b>	<b>NONE</b>
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The resolution was declared adopted.

### Correspondence

David Stockton sent an email request to be compensated with a flat fee for providing the sound system for the Memorial Day ceremonies and all future events.

Trustee Barr informed the Board that the Middleport Rotary Club would not be doing the Memorial Day Duck Derby this year and that they have turned everything over to the MATABC.

Clerk VanBuren told the Board that she had a resident request that a Board member contact her regarding the water rates in the Village.

Doug Eggert's retirement letter was read. He will be retiring from the Village after 34 ½ years of dedicated service as the MEO to the Village of Middleport. He will be missed, and the Board wishes him well on his retirement.

### Old Business

Chief Swick has been observing the Terry Street parking situation and recommended that the Board table any decision until the fall.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to authorize the weekly HRA payment of claims and approved in the monthly audit thereafter to iSolved Benefit Services as submitted to the Village Clerk-Treasurer with the effective date of June 1, 2022. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to approve the Village of Middleport's Cyber Security coverage with NYMIR for the 2022-2023 Fiscal Year as stated in the Insurance Renewal Proposal. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to authorize Mayor Westcott and Clerk-Treasurer VanBuren to formally enter into an agreement with Tronconi Segarra & Associates LLP to file the Village's Annual Financial Report for the Fiscal Year 2021-2022 contingent on attorney approval. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to authorize the Village attorney to review the Scout House and Pavilion applications and insert Hold Harmless language in favor of the Village. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to enter into Executive Session for the purpose of consultation with the Village's Attorney. Carried, with all present voting aye.

Executive Session opened at 8:31 pm.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to return to General Session. Carried, with all present voting aye.

General Session reconvened at 9:10 pm.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to authorize the Village Clerk-Treasurer to reduce the May 2022 water/sewer bill owed by Curt and Christine Salt to \$400 for the purpose of resolving a potential claim against the Village of Middleport. Authorization was also given to offer the Salt's a Deferred Payment Agreement plan without any penalties. Carried, with all present voting aye.

The next regularly scheduled meeting of the Board of Trustees will be held on Tuesday, June 21, 2022, at 7 pm.

There being no other business, a motion was made by Trustee Barr, and seconded by Trustee McAvoy, to adjourn. Carried, with all present voting aye.

Meeting adjourned at 9:12 p.m.

*Respectfully Submitted,*

*Lisa M. VanBuren*  
*Clerk-Treasurer*